

## Appendix D

### OVERALL LEGAL AND ADMINISTRATIVE FRAMEWORK

- The Multiple-Use Sustained-Yield Act of 1960 identifies guiding principles for managing the resources of the National Forest and Grassland System. The direction to manage these resources for the greatest good over time necessitates the use of economic and social analysis in determining management of the National Forest and Grassland System.
- The National Environmental Policy Act of 1969 requires that before any agency of the federal government may take actions significantly affecting the quality of the human environment, that agency must examine not only the potential impacts of that action on physical and biological resources, but also the social and economic consequences (40 CFR 1508.14).
- The Forest and Rangeland Renewable Resources Planning Act of 1974, as amended by the National Forest Management Act of 1976, establishes the requirement to consider economic effects in the land management planning process.
- Title 36 Code of Federal Regulations Part 219 implements sections 6 and 15 of the National Forest Management Act. It provides guidelines for evaluating alternatives in forest plans and requires consideration of economic and social factors.
- Office of Management and Budget Circular A-94 (revised March 27, 1972) provides guidelines for evaluating the economic efficiency of federal agency programs and projects.
- Office of Management and Budget Circular A-116 (issued August 16, 1978) requires executive branch agencies to conduct urban and community impact analyses of major initiatives and to conduct long-range planning.
- The Public Rangelands Improvement Act of 1978 requires economic analysis of grazing use on Forest Service administered lands, fee formulas, and funding of rangeland programs and identification of associated economic impacts on the livestock industry.
- Executive Order No. 12898 on Environmental Justice (issued February 11, 1994) requires that each federal agency make achieving environmental justice part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations.

### Legal and Administrative Framework for Air Quality Management

- The **Clean Air Act** (1970) as amended in 1990 and 1999, mandates the setting of national ambient air quality standards to protect human health and welfare,

prevent significant deterioration of air-quality-related values (AQRVs), and protect natural visibility. In Idaho, the primary responsibility for enforcing national ambient air quality standards rests with the Idaho Department of Environmental Quality in addition to the Environmental Protection Agency.

- The **Wilderness Act** (1964) directs the Forest Service to preserve and protect the natural conditions of Wilderness, including the intrinsic wilderness value of air quality.
- The **Forest and Range Renewable Resource Act** (1973), as amended by the National Forest Management Act, directs the Forest Service to "...recognize the fundamental need to protect and, where appropriate, improve the quality of soil, water and air resources."
- The **Montana/Idaho Smoke Management Program Memorandum of Agreement** requires the Forest Service to conduct its prescribed burns under the conditions permitted by the Smoke Management Monitoring Unit in Missoula, Montana.
- The Environmental Protection Agency's **Natural Events Policy** includes a provision to prevent an area from being redesignated as "non-attainment" for particulates when high concentrations result from wildfires.
- The Environmental Protection Agency's **Interim Air Quality Policy on Wildland and Prescribed Fires** provides guidance on mitigating air pollution impacts caused by wildland and prescribed fires while recognizing the current role of fire in wildlands management.